

A. Introduction

In addition to meeting the Business Requirements outlined in Section VI, bidders must adhere to all the Administrative Requirements of this RFP to be responsive. These requirements include the rules in Section II, Rules Governing Competition, the schedule specified in Section I, Introduction and Overview, the format specified in Section VIII, Proposal Format and Content, and the completion of cost worksheet specified in Section VII, Cost Proposal, and the Administrative Requirements of this section.

This section contains the non-technical requirements covering the bidder's responsibilities, with which the bidder must comply. Any material deviation in the proposal will cause it to be rejected.

If the bidder's proposed solution involves the use of subcontractors, any subcontractor proposed for a portion of the project that exceeds ten percent (10%) of the total project cost must also comply fully with the Administrative Requirements listed in Section V, Requirement C, Certification to do Business in the State of California, and must submit responses according to Section VI, Business Requirements, in the same manner required of the prime contractor.

It is the intent of the state to evaluate the bidder's capability to successfully execute the requirements contained in this RFP. For this reason, the bidder must provide as part of its proposal, evidence of the required capability and experience in the format specified.

Additionally, the bidder must fully comply with all stated terms and conditions in the state's contract.

B. Prime Contractor Responsibilities

A bidder submitting a proposal that results in the award of a contract will be considered the prime contractor. The prime contractor accepts full responsibility for coordinating and controlling all aspects of the contract, including support or activities to be performed by any sub and/or secondary contractors. The prime contractor will be the sole point of contact with the state relative to contract performance. If this performance involves the use of one or more program products proprietary to another firm, the prime contractor will be responsible for acquiring a proper license for the state's use of such program products. If any proposal includes equipment or services provided by other firms, the prime contractor will be considered as prime contractor for the delivery, and maintenance of the entire business solution.

In all contractual matters, the state will consider the prime contractor to be the sole point of contact. There will be no assignment of responsibility to a third party without prior written approval from Finance and the Department of General Services.

C. Certification to do Business in the State of California

The bidder must be certified with the Secretary of State of California to do business in the State of California. If the bidder does not currently have this certification, the firm must be certified before contract award can be made. If this is the case, the bidder must provide information to

support the status of their application to be certified to do business in the State of California with the final proposal submission.

D. Executive Summary

The Executive Summary should condense and highlight the contents of the proposal to provide a broad understanding of the entire proposal and facilitate the evaluation of the proposal by the state. The Executive Summary should include conclusions and generalized recommendations. Such conclusions and recommendations will not be evaluated and will not be a factor in the selection of the successful proposal. The Executive Summary must also provide a concise profile of the company, emphasizing the history, and current status of the organization.

Cost information cannot be included in the Executive Summary.

E. Customer References and Staff Resumes

This Project will require a wide variety of skills and experience. Bidders will be required to provide customer references and staff resumes substantiating the bidder's response to the requirements identified in Section VI.

Exhibit V-C, Customer Reference Form has been provided for this purpose. If customer references provided on this form cannot support all of the reference requirements throughout Section VI, additional references must be provided that substantiate the bidder's claims. Customer references provided by the bidder must be available after submission of the final proposal and prior to cost opening, as identified in Section I, Key Action Dates. If the references are unavailable during the dates identified, the bidder's proposal may be rejected. Bidders are advised to inform their customer references of these dates.

Bidder must identify and provide resumes for all staff, such as Account Manager, Project Manager, Business Analyst, Staff Assistant, Accounting Specialist, etc., proposed for this engagement. Resumes must include a summary of similar work performed. Information reflecting contacts, organization names and phone numbers and experience dates must be included in each resume.

F. Confidentiality

To preserve the integrity of the security and confidentiality measures integrated into the agencies automation system, each contractor is required to sign a Confidentiality Certification attached as Exhibit V-B to this section and must be submitted by the date specified in Section I and as part of this RFP. Similarly any contractor and each of their employees engaging in services to the Finance related to this RFP and the resulting contract, requiring them to come into contact with confidential agency information, will be required to exercise security precautions for such data they may come in contact with. Each of the employees of the successful bidder, and any subcontractors and their employees must sign formal compliance agreements regarding security and confidentiality (Exhibits V-E and V-F).

G. Disabled Veterans Business Enterprise (DVBE) Participation Program Requirements

The bidder's proposal must contain the completed forms from DGS' website depending on the option chosen for Disabled Veteran Business Enterprise (DVBE) participation. To review the instructions and complete the appropriate form(s), log on to:

<http://www.documents.dgs.ca.gov/pd/dvbe/dvbereq6.pdf>

For this procurement, the state has a DVBE goal of three percent (3%) of the combined total cost. The 3% will be calculated on Section VII, Deliverables Cost Worksheet, "Total Proposed Project Cost." If the bidder does not meet the goal, have an approved DVBE Business Utilization Plan, or do a Good Faith Effort to meet the goal, the DVBE participation requirement shall cause a proposal to be considered non-responsive and ineligible for contract award.

To meet this requirement the bidder must do at least one of the following:

1. Meet the contract goal of 3% of Section VII, Deliverables Cost Worksheet, "Total Proposed Project Cost."
2. Provide documentation as prescribed to show that the bidder has made a "good faith effort" to achieve 3% DVBE participation.
3. Provide evidence that the bidder has an approved DVBE Utilization Plan with the Department of General Services, Procurement Division.

At the time that a bidder submits the final proposal, the bidder will have calculated the dollar value of the total cost proposed in response to the requirements of this RFP. For this reason, if the bidder claimed to meet the DVBE goal in the administrative portion of the Proposal, the bidder shall identify the actual dollar figure and the percentage (3% or more of the combined total cost on Section VII, Deliverables Cost Worksheet, "Total Proposed Project Cost") representing the rate of participation for each proposed DVBE Sub-Contractor. This data shall be identified on the DVBE Participation Summary form (STD. 840) in the column marked "claimed DVBE value" and submitted only as part of the bidder's separately sealed Cost Proposal ("Final Proposal – Volume III, Cost"). Cost figures shall only appear in the bidder's final, sealed cost proposal ("Final Proposal – Volume III Cost"). If the bidder's draft proposal contains any dollar figures, the bidder may be prohibited from further participation in this procurement.

H. Commercially Useful Function Description and Information

On January 1, 2004, Chapter 623, Statutes of 2003, became effective and required all small business, microbusinesses and disabled veteran enterprises to perform a "commercially useful function" in any contract they perform for the state.

A business that is performing a commercially useful function is one that does all of the following: (1) is responsible for execution of a distinct element of the work of the contract; (2) carries out its obligation by actually performing, managing or supervising

the work involved; (3) performs work that is normal for its business, services and function; and (4) is not further subcontracted by normal industry practices.

The bidder must provide a written statement detailing the role, services and/or goods the subcontractor(s) will provide to meet the Commercially Useful Function requirement, using the Commercially Useful Function Statement, Section V, Exhibit V-H.

I. Target Area Contract Preference (TACPA)

Target Area Contract Preference will be granted to California-based firms in accordance with Government Code Section 4530 whenever contracts for goods or services are in excess of \$100,000 and the bidder meets certain requirements as defined in the California Administrative Code (Title 2, Section 1806.30 et seq.) regarding labor needed to provide the goods being procured. Bidder's questions regarding this preference are to be directed to the Office of Small Business and Disabled Veteran Business Certification, 707 3rd Street, Second Floor, West Sacramento, California, 95605. Bidders desiring to claim this preference must submit in their final proposal a fully executed copy of the form STD. 830, which can be found at: <http://www.documents.dgs.ca.gov/osp/pdf/std830.pdf>

Bidders are not required to apply for TACPA preferences. Denial of a TACPA preferences request is not a basis for rejection of the bid.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance to statutory, regulatory, and contractual requirements. The state will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

J. Enterprise Zone Act (EZA)

Government Code Section 7070, et seq., provides that California-based companies may be granted preferences when bidding on state contracts in excess of \$100,000 for goods and services (excluding construction contracts) if the business site is located within designated "Enterprise Zones." Bidders desiring to claim this preference must submit a fully executed copy of the form STD. 831 with their final proposal. The STD. 831 form can be found at <http://www.documents.dgs.ca.gov/osp/pdf/std831.pdf>

Bidders are not required to apply for EZA preferences. Denial of EZA preferences request is not a basis for rejection of the bid.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance to statutory, regulatory and contractual requirements. The state will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

K. Local Agency Military Base Recovery Act (LAMBRA)

California Government Code Section 7118, et seq. provides that California-based companies may be granted preferences when bidding on state contracts in excess of \$100,000 if they qualify and apply for the LAMBRA preference. Contractors desiring to claim this preference must submit a fully executed copy of the form STD. 832, with their final proposal, which can be found at <http://www.documents.dgs.ca.gov/osp/pdf/std832.pdf>.

Contractors are not required to apply for LAMBRA preferences. Denial of LAMBRA preferences request is not a basis for rejection of the bid.

Contracts awarded with applied preferences will be monitored throughout the life of the contract for compliance to statutory, regulatory and contractual requirements. The state will take appropriate corrective action and apply sanctions as necessary to enforce preference programs.

L. Other Administrative Requirements

L.1 Payee Data Record

The bidder to be awarded this contract will be required to sign a Payee Data Record form STD. 204 before contract award and execution. Bidders must submit a fully executed copy with their final proposal. The Payee Data Record can be found at <http://www.documents.dgs.ca.gov/osp/pdf/std204.pdf>.

L.2 Small Business

L.2.1 Small Business Preferences

Bidders claiming the 5% preference must be certified by California as a small business or must commit to subcontract at least 25% of the net bid price with one or more California certified small business. Completed certification applications and required support documents must be submitted to the Office of Small Business and DVBE Certification no later than 5:00 p.m. on the final proposal due date, and the Office of Small Business and DVBE Certification must be able to approve the application as submitted.

Questions regarding certification must be directed to the Office of Small Business and DVBE Certification at (916) 375-4940.

L.2.2 Revised Small Business Regulations

The small business regulations, located at 2 CCR 1896 et seq., concerning the application and calculation of the small business preference, small business certification, responsibilities of small business, department certification and appeals are revised, effective 9/9/04. The new regulations can be viewed at <http://www.pd.dgs.ca.gov/smbus>. Access the regulations by clicking on "Small Business Regulations" in the right sidebar. For those without Internet access, a copy of the regulations can be obtained by calling the Office of Small Business and DVBE Certification at (916) 375-4940.

L.2.3 New Non-Small Business Subcontractor Preference

A 5% bid preference is now available to a non-small business claiming 25% California-certified small business subcontractor participation.

L.3 Subcontractors**L.3.1 Bidder Responsibility for the Performance of Subcontractors**

If any proposal includes components and/or services, provided by other firms, the prime bidder shall be held responsible for the performance of the subcontractors.

The bidder awarded the contract will be responsible for coordinating and controlling all aspects of his/her proposal, including support to be provided by any subcontractor and/or secondary contractors, and will be the sole point of contact with the state relative to contract performance. If this performance involves the use of one (1) or more proprietary product(s), the prime bidder will be responsible for acquiring a license for the state's use of such products.

L.3.2 Subcontractor Requirements

Any subcontractor that the bidder chooses to use in fulfilling the requirements of this RFP shall also meet all Administrative and Business Requirements of the RFP as applicable. The bidder awarded the contract will be responsible for coordinating and controlling all aspects of his/her proposal, including support to be provided by any subcontractor and/or secondary contractors, and will be the sole point of contact with the state relative to contract performance.

If this performance involves the use of one (1) or more proprietary product(s), the prime bidder will be responsible for acquiring a license for the state's use of such products.

L.3.3 Subcontractor List

Each participating bidder shall submit Exhibit V-G with the proposal, supplying a list of proposed subcontractors or indicating on such form that none are to be used.

Procurement Division (State Department of General Services)
Americans with Disabilities Act (ADA)

COMPLIANCE POLICY OF NONDISCRIMINATION ON THE
BASIS OF DISABILITY
ADA NOTICE

Procurement Division (State Department of General Services)
AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE POLICY OF
NONDISCRIMINATION ON THE BASIS OF DISABILITY

To meet and carry out compliance with the nondiscrimination requirements of the Americans With Disabilities Act (ADA), it is the policy of the Procurement Division (within the State Department of General Services) to make every effort to ensure that its programs, activities, and services are available to all persons, including persons with disabilities.

For persons with a disability needing a reasonable modification to participate in the Procurement process, or for persons having questions regarding reasonable modifications for the Procurement process, please contact the Procurement Division at (916) 375-4400 (main office); the Procurement Division TTY/TDD (telephone device for the deaf) or California Relay Service numbers which are listed below. You may also directly contact the Procurement Official that is handling this procurement.

IMPORTANT: TO ENSURE THAT WE CAN MEET YOUR NEED, IT IS BEST THAT WE RECEIVE YOUR REQUEST AT LEAST 10 WORKING DAYS BEFORE THE SCHEDULED EVENT (i.e., MEETING, CONFERENCE, WORKSHOP) OR DEADLINE DUE-DATE FOR PROCUREMENT DOCUMENTS.

The Procurement Division TTY telephone numbers are:

Sacramento Office: (916) 375-4400

Fullerton Office: (714) 773-2093

The California Relay Service Telephone Numbers are:

Voice: 1-800-735-2922

TTY: 1-800-735-2929

FORMS INDEX

Some or all of the following forms are applicable to your firm's contract and proposal. Please read each form or requirement carefully to ascertain if it is appropriate to complete the attached document. Incomplete documents that are a contractual requirement could render a proposal as non-responsive and not be considered for award. **Please note that the forms that have an asterisk * are required forms to be filled out and returned with your proposals.**

Exhibit V-A	Letter of Intent to Bid *
Exhibit V-B	Conflict of Interest/Confidentiality Certification *
Exhibit V-C	Customer Reference *
Exhibit V-D	Small Business Preference Questionnaire
Exhibit V-E	Confidentiality and Non-Disclosure Agreement
Exhibit V-F	Computer Security Policy
Exhibit V-G	Proposed Subcontractors *
Exhibit V-H	Commercially Useful Function Certification *